

EXHIBIT 7

2018

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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)
GEN-PROBE INCORPORATED,)
) NO.99cv2668 H (AJB)
Plaintiff,)
)
VS.)
)
VYSIS, INC.,)
)
Defendant.)
)
-----X

CONFIDENTIAL

Videotaped Deposition of
JONATHON MICHAEL L. E, Ph.D.
Durham, North Carolina
Thursday, February 15, 2001

Reported by:
Sydney C. Silva, Registered Professional Reporter
File No:

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1 A. Yes, in the first sentence. 16:19:36
2 Q. And the amplification method described in 16:19:45
3 Example 4 is in vitro amplification of captured DNA 16:19:51
4 using an RNA polymerase, is that right? 16:19:56
5 A. Yes. 16:20:07
6 Q. And is it your understanding that the use 16:20:10
7 of the RNA polymerase would result in nonspecific 16:20:14
8 transcription of the target DNA? 16:20:23
9 A. Yes. 16:20:25
10 Q. So Example 4 describes a nonspecific 16:20:25
11 method of amplification? 16:20:29
12 A. Yes. 16:20:33
13 Q. And the method of amplification described 16:20:34
14 in Example 4 is a method of linear amplification, 16:20:37
15 is that correct? 16:20:43
16 A. Yes. 16:20:47
17 Q. Looking at Example 5, Example 5 also 16:20:56
18 refers to nonspecific amplification, is that 16:21:10
19 correct? 16:21:13
20 A. The first sentence says, "Nonspecific 16:21:13
21 replication of target DNA and transcription of that 16:21:17
22 DNA are used to amplify captured target DNA." So 16:21:23
23 it does address amplification. 16:21:36
24 Q. And the amplification method disclosed in 16:21:38

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1 Example 5 is a linear method? 16:21:41
2 A. Let's see. 16:21:44
3 Yes, it is linear. 16:22:29
4 Q. So Example 5 discloses a linear 16:22:31
5 nonspecific method of amplification? 16:22:34
6 A. Yes. 16:22:37
7 Q. So recapping the examples, Examples 1 16:22:38
8 through 3 disclose capture methods without 16:22:43
9 amplification? 16:22:46
10 A. Yes. 16:22:48
11 Q. And Example 4 discloses linear 16:22:49
12 nonspecific amplification? 16:22:53
13 A. Yes. 16:22:54
14 Q. Example 5 discloses linear nonspecific 16:22:55
15 amplification? 16:22:59
16 A. Yes. 16:23:00
17 Q. Example 6 seeks to describe nonspecific 16:23:02
18 exponential amplification? 16:23:10
19 A. Let's see. Yes. 16:23:13
20 Q. And Example 7 describes -- seeks to 16:23:18
21 describe nonspecific exponential amplification? 16:23:22
22 A. Yes. 16:23:28
23 Q. Looking back at Column 30, specifically 16:23:44
24 at Lines 30 through 40, which I think is two 16:23:48

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